

Ser. No. 09/207,361  
Internal Docket No. PD970090  
Customer No. 24498

PATENT

RECEIVED  
CENTRAL FAX CENTER

OCT 31 2006

**Remarks/Arguments**

Claims 1-3 and 6-10 are pending. Claims 1 and 10 have been amended to more clearly and distinctly claim the subject matter that applicant regards as his invention. Support for the amendment to claims 1 and 10 are provided, for example, on page 6, line 29 - page 7, line 9, and page 7, lines 22-28. No new matter is believed to be added by the present amendment.

**Rejection of claim 10 under 35 USC 112, second paragraph, as being as being indefinite**

Claim 10 has been amended to recite "a first optical scanning device." Applicants submit the rejection is overcome in view of the amendment.

**Rejection of claims 1-3 and 6-9 under 35 USC 102(e) as being anticipated by Takokoro et al. (US Pat No 5025430)**

Applicant submit that for at least the reasons discussed below Takokoro similar to previously cited Maeda fails to disclose or suggest each and every limitation of amended claim 1, and thus, amended claim 1, and claims 2-3 and 6-9 that depend therefrom, are also not anticipated under 35 USC 102(e) by Takokoro.

Amended claim 1 recites:

an information erasing means, and, in the case of recording information, a writing device, formed from a writing magnet and an optical scanning device, for overwriting information or data recorded on a magneto-optical recording medium, wherein

the information erasing means is formed by an erasing magnet having a magnetic field which is directed opposite to the magnet of the writing device,

the information erasing means is connected with the optical scanning device to one of erase, and erase and initialize the magneto-optical recording medium only in a region upstream of a track to be written directly before the recording of new information or data and has a field strength sufficient to initialize the magneto-optical recording medium and to erase information previously stored on the magneto-optical recording medium without the assistance of a laser.

Ser. No. 09/207,361  
Internal Docket No. PD970090  
Customer No. 24498

## PATENT

Applicant submits that Takokoro fails to disclose or suggest at least the above-emphasized limitations of amended claim 1.

At the outset, applicant notes that the concepts of initializing the magneto-optical recording medium and erasing information previously stored on the magneto-optical recording medium are distinct and have specific meaning to those skilled in the art, particularly in the field of magneto-optical recording. Erasing means as recited in the claims and supported in the specification relates to operation on information that is recorded onto and readable from the disc, that is, information stored on the information layer. In this case, applicant submits that the examiner has incorrectly applied such concept of erasing to operations on an auxiliary layer 4 in which the magnetization direction becomes rearranged by initialization magnet 8. As clearly described by Takokora, such initialization has no effect on the information stored on the disc as shown in Fig. 3B. Takokora's magnet 8 cannot correspond to the recited erasing means because magnet 8 does not have sufficient field strength to erase the information stored on the disc.

The present specification specifically states on page 6, lines 34-35, "The result is to produce on the magneto-optical recording medium upstream of the writing magnet SM a second region AE in which information or data previously stored on the magneto-optical recording medium are erased." Nowhere does Takokora disclose or suggest the recited erasing means.

Takokora specifically discloses that magnet 8 is an Initialization magnet, not an erasing magnet, and that initialization magnet 8 only operates on supplementary layer 4. Takokoro mentions on col. 2, lines 29-33, with reference to Fig. 3B, that "the first layer 3 retains its existing magnetic alignment, **being unaffected** by the magnetic field generated by the initialization magnet 8 or the magnetic field generated by the magnetization of the second layer 4. (emphasis added)"

Accordingly, in Takokoro, as illustrated in Fig. 3B, the initialization step will rearrange the magnetization of ferro-magnetic layer 4 in a uniform direction in magneto-optical recording medium 1. In other words, the alignment of the ferro-magnetic layer 4 is initialized by the magnet 8; however, the information previously stored on the magneto-optical recording medium, which is recorded in layer 3, is **unaffected** by the magnetic field generated by the initialization magnet 8 or the

Ser. No. 09/207,361  
Internal Docket No. PD970090  
Customer No. 24498

## PATENT

magnetic field generated by the magnetization of the second layer 4.

Consequently, the recited information erasing means is neither disclosed nor suggested by Takokoro.

In the description of the arrangement of Fig. 3A and 3B there is no mention or hint regarding an information erasing device, nor that the **stored information becomes erased** by the described initialization. Applicant submits that one skilled in the art would understand Takokoro to teach that there is an initialization magnet 8 that initializes an initialization layer, but that erasing, overwriting, or recording of information takes place in the **area of the focused light spot 6** opposite to the recording magnet 9. In this regard, applicants submit that Takokoro is not applicable to the present invention as Takokoro is concerned with an initialization arrangement rather than one concerned with erasing or erasing and initialization information previously stored on the magneto-optical recording medium as mentioned in the present claims.

In view of the above, applicant submits that Takokoro fails to disclose or suggest the recited information erasing means.

Furthermore, applicant submits that Takokoro fails to disclose or suggest at least the limitation "... the information erasing means is connected with the optical scanning device to one of erase, and erase and initialize the magneto-optical recording medium **only in a region upstream of a track to be written directly before the recording of new information or data.**"

For the reasons discussed above, applicant submits that initialization and erasing are distinct functions, and nowhere does Takokoro disclose or suggest the recited information erasing means. However, even assuming arguendo that initialization magnet 8 could be construed to perform an erasing operation, applicant submits that Takokoro still fails to disclose or suggest that the magnet 8 erases the recording medium only in a region upstream of a track to be written directly before the recording of new information or data as recited in the claims.

In Fig. 2A, Takokoro clearly shows that the magnet 8 is elongated in shape and encompasses areas that extend over a region upstream of a track to be written directly before the recording of new information or data. Furthermore, col. 2, lines 25-29, with reference to Fig. 3B states "as the information-carrying medium 1 rotates in direction a in FIG. 3B, when the second layer 4 passes over the

Ser. No. 09/207,361  
Internal Docket No. PD970090  
Customer No. 24498

## PATENT

initializing magnet 8 it is uniformly magnetized in the up direction, regardless of the magnetic alignment of the first layer 3." This indicates that the magnet 8 is disposed over a portion of the disc that is before and behind the optical pick up that records and reproduces the information on magneto-optical disc 1. If the magnet 8 is considered to be an erasing means, which erases the magneto-optical recording medium without assistance of a laser, the positioning and the area covered by magnet would cause a just recorded information to be erased after one revolution of the disc. Therefore, applicant submits that the magnet 8 cannot be interpreted to correspond to the recited erasing means, and certainly does not erase the recording medium only in a region upstream of a track to be written directly before the recording of new information or data as recited in the claims.

Finally, applicant submits that Takokoro fails to disclose or suggest that the magnet 8 **has a field strength sufficient** to initialize the magneto-optical recording medium and **to erase information previously stored on the magneto-optical recording medium** without the assistance of a laser.

In view of the above, applicant submits that Takokoro fails to disclose each and every limitation of claim 1, and thus, claim 1, and the claims that depend therefrom, are not anticipated by Takokoro.

**Rejection of claim 10 under 35 USC 103(a) as being unpatentable over Takokoro in view of Kamioka (US Pat No 5493548)**

Applicant submits that for the reasons discussed below amended claim 10 are patentably distinguishable over the teachings of the suggested combination of references.

The examiner acknowledges that Takokoro fails to teach or suggest a second optical scanning device for reproducing data and the two optical scanning devices simultaneously record and reproduce data. Kamioka is cited to supply the missing elements of Maeda.

However, applicant submits that even assuming arguendo that Kamioka teaches the alleged missing elements of Takokoro, and the suggested combination is proper, Kamioka still fails to teach or suggest the information erasing magnet, which Takokoro fails to disclose or suggest as discussed above. Therefore, applicant submits that the suggested combination of Takokoro and

Ser. No. 09/207,361  
Internal Docket No. PD970090  
Customer No. 24498

PATENT

Kamioka still fails to overcome the defect of Takokora discussed above with respect to claim 1, and as such, present claim 10 is patentably distinguishable over the suggested combination.

Having fully addressed the Examiner's rejections it is believed that, in view of the preceding amendments and remarks, this application stands in condition for allowance. Accordingly then, reconsideration and allowance are respectfully solicited. If, however, the Examiner is of the opinion that such action cannot be taken, the Examiner is invited to contact the applicant's attorney at (609) 734-6815, so that a mutually convenient date and time for a telephonic interview may be scheduled.

Respectfully submitted,

FRIEDHELM ZUCKER

By:   
Paul P. Kiel  
Attorney for Applicant  
Registration No. 40,677

THOMSON Licensing Inc.  
PO Box 5312  
Princeton, NJ 08543-5312

Date: October 31, 2006